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Mark J. Spolyar

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FACSIMILE TRANSMISSION

Date: April 11, 2006
To: United States Patent & Trademark Office
Fax: 571-273-8300
From: Jonathan P. Kudla
Number of Pages (including cover sheet): 20

RE: Re-Transmission of Amendment and Response to Office Action
U.S. Serial No. 10/027,499
Filed: December 20, 2001

(The payment has already been made. Please call with any questions. Thank you.) This fax is being sent in response to a Notice of Non-Compliant Amendment re signature page).

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8

Facsimile Number: 571-273-8300
Date: April 11, 2006

I hereby certify that this correspondence, and the papers referred to herein, are being facsimile transmitted to the United States Patent and Trademark Office on the date indicated above.



Anne M. O'Shea

Papers Included Herewith:

1. Fax Cover Sheet (1 page);
2. Transmittal Form (1 page);
3. Amendment Transmittal Form (1 page);
4. Amendment and Response to Office Action (16 pages).

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Mark J. Spolyar

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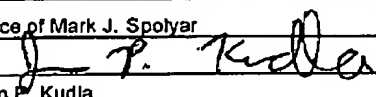
PTO/SB/21 (09-04)

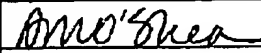
Approved for use through 07/31/2009, OMB 0651-0031
 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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| | | |
|---|----------------------|-----------------------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/027,499 |
| | Filing Date | Dec 20, 2001 |
| | First Named Inventor | Okholm, Jon Eric |
| | Art Unit | 2667 |
| | Examiner Name | Kerri M. Dyke |
| Total Number of Pages in This Submission | | Attorney Docket Number 6533/53656 |

| ENCLOSURES (Check all that apply) | | |
|--|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached (PTO Form 2038) <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="text-align: center; font-family: cursive; font-size: 1.2em;">Credit Card payment form</div> |
| <div style="border: 1px solid black; display: inline-block; padding: 2px;">Remarks</div> | | |

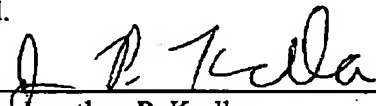
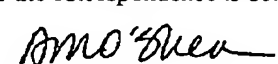
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|---|----------|--------|
| Firm Name | Law Office of Mark J. Spolyar | | |
| Signature |  | | |
| Printed name | Jonathan P. Kudla | | |
| Date | March 15, 2006 | Reg. No. | 47,724 |

| CERTIFICATE OF TRANSMISSION/MAILING | | | |
|---|---|------|----------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below., or the correspondence is being facsimile transmitted to the USPTO on the date shown below. | | | |
| Signature |  | | |
| Typed or printed name | Anne M. O'Shea | Date | March 15, 2006 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

APR 11 2006

| | | | | | | |
|--|-------------------------------------|----------------------------|--|--------------------------------|-------|-------------------|
| AMENDMENT TRANSMITTAL LETTER | | | | Attorney Docket No: 53656 | | |
| Application Serial Number: 10/027,499 | | Filing Date: 12/20/2001 | | Examiner: Kerri M. Dyke | | Art Unit: 2667 |
| Invention: Interface Facilitating Configuration of Network Resource Utilization | | | | | | |
| <p>TO THE COMMISSIONER FOR PATENTS:</p> <p>Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below.</p> | | | | | | |
| CLAIMS AS AMENDED | | | | | | |
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | NO. OF EXTRA CLAIMS PRESENT | RATE | ADDITIONAL FEE |
| TOTAL CLAIMS | 37 | MINUS | 31 | 6 | \$50 | \$ 300.00 |
| INDEP. CLAIMS | 3 | MINUS | 3 | 0 | \$200 | \$ 0.00 |
| <p>____ Petition is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of <u>12/20/2005</u> to and through _____, comprising an extension of the shortened statutory period of:</p> <p style="margin-left: 40px;"> ____ one month (\$120.00) ____ three months (\$1,020.00) ____ two months (\$450.00) ____ four months (\$1,590.00) </p> | | | | | | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | | |
| <p>____ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.</p> <p>____ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.</p> <p>____ A check in the amount of \$ _____ is attached.</p> <p>____ Charge \$ _____ to Deposit Account _____.</p> <p><input checked="" type="checkbox"/> Payment by credit card. Credit Card Payment Form PTO-2038 attached.</p> <p>____ No additional fee is required.</p> <p style="margin-left: 40px;"> <u>3/15/2006</u> date </p> <p style="margin-left: 200px;">  Jonathan P. Kudla Reg. No. 47,724 </p> <p>I hereby certify that this Correspondence is being deposited with the United States Postal service with sufficient postage for first class mail in an envelope address to the Commissioner for Patents, Mail Stop PCT, P.O. Box 1450, Alexandria, VA 22313-1450, or the correspondence is being facsimile transmitted to the USPTO, on <u>3/15/2006</u>.</p> <p style="margin-left: 100px;">  Anne M. O'Shea </p> | | | | | | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: J. Okholm et al)
Applicant's Ref: 6533/53656)
Serial No.: 10/027,499)
Filed: December 20, 2001)
Title: **INTERFACE FACILITATING**)
CONFIGURATION OF NETWORK)
RESOURCE UTILIZATION)

Examiner: K. Dyke

Group Art Unit: 2667

Date: March 15, 2006

Confirmation No.: 2002

AMENDMENT AND RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated December 20, 2005, please enter the following amendments and consider the following remarks.

Amendments to the claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/arguments begin on page 10 of this paper.

Attny Dkt. No.: 6533/53656

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10/027,499